

# EXHIBIT A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
 ABSTRACT OF JUDGMENT  
 FOR COMMITMENT TO STATE PRISON

THE PEOPLE OF THE STATE OF CALIFORNIA  
 PLAINTIFF

VS

PABLO JULIAN AGRIOS

DEFENDANT

DATE MAY 5, 1989

CASE NUMBER: CR 95364

PRESENT

TERRY B. O'ROURKE

JUDGE OF THE SUPERIOR COURT

Edwin L. Miller, Jr., District Attorney

By

CRAIG ROOTEN

DEPUTY

EDMUNDO ESPINOZA

COUNSEL FOR DEFENDANT

MARIE J. ERVIN

CLERK

JANICE SHULAK

REPORTER

Deputy

182

 PROBATION HAVING HERETOFORE GRANTED AND SAID PROBATION HAVING BEEN REVOKED ON APPLICATION FOR PROBATION IS DENIED. THE DEFENDANT IS DOLLY ARRAIGNED (WAIVES FORMAL ARRAIGNMENT).

Count No. One

of not guilty

WHEREAS THE SAID DEFENDANT ON HIS PLEA

having

been convicted by the jury of Murder in the Second Degree

(THE COURT OR JURY)

(DESIGNATION OF CRIME AND DEGREE IF ANY, INCLUDING FACT THAT IT CONSTITUTES A SECOND OR SUBSEQUENT, IF THAT

AFFECTS THE SENTENCE)

IN VIOLATION OF Penal Code Section 187(a)

(REFERENCE TO CODE OR STATUTE, INCLUDING SECTION AND SUBSECTION THEREOF, IF ANY VIOLATED.)

YEAR CRIME COMMITTED IS 88

THE DEFENDANT IS CREDITED FOR TIME SPENT IN CUSTODY, 73 TOTAL DAYS, INCLUDING:

ACTUAL LOCAL TIME 49 PC 4019(b) CREDIT 24, STATE INSTITUTIONS TIME 7.

THE COURT FINDS: (\*IF NO FINDING MADE, ENTER "NO FINDING MADE")

\* NO FINDING MADE THE DEFENDANT (WAS OR WAS NOT) ARMED WITH A DEADLY WEAPON AT THE TIME OF HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Sections 969c and 12022 of the Penal Code.

\* THE DEFENDANT (DID) (USED OR DID NOT USE) A FIREARM IN HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Sections 969d and 12022.5 OF THE Penal Code.

\* NO FINDING MADE THE DEFENDANT (WAS OR WAS NOT) ARMED AT THE TIME OF HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Section 1203 of the Penal Code and that weapon was

DATE	COUNTY AND STATE	THE DEFENDANT HAS HAD PRIOR FELONY CONVICTIONS, FOLLOWING:	CRIME	DISPOSITION
------	------------------	--	-------	-------------

MEETING ON DECEMBER 13, 1988, IT IS ORDERED THAT THE DEFENDANT, PABLO JULIAN AGRIO, BE SENTENCED AS FOLLOWS:

THE DEFENDANT IS CONVICTED OF THE CRIMES OF FRAUDULENTLY RECEIVING AND KEEPING IN HIS POSSESSION PROPERTY WHICH HE PURCHASED KNOWINGLY TO BE STOLEN FROM ANOTHER, AND IS CONVICTED OF THE CRIMES OF FRAUDULENTLY RECEIVING AND KEEPING IN HIS POSSESSION PROPERTY WHICH HE PURCHASED KNOWINGLY TO BE STOLEN FROM ANOTHER, AND IS CONVICTED OF THE CRIMES OF FRAUDULENTLY RECEIVING AND KEEPING IN HIS POSSESSION PROPERTY WHICH HE PURCHASED KNOWINGLY TO BE STOLEN FROM ANOTHER.

It is therefore ordered, adjudged and decreed that the defendant be punished by imprisonment in the State Prison of the State of California for the term prescribed by law. It is ordered that the sentences shall be served in respect to one another as follows (CC or CS): COMMENDED TO THE

As to PC 12022.5 enhancement, the Court sentences the defendant, PABLO JULIAN AGRIO, to two years (2) consecutive, for a total sentence of 17 years to life.

INFLUENCE OR COERCION EXCLUDED ACCORDING TO THE RULES OF COURT IN THIS JUDGMENT  
IN AVOIDANCE OF INFLUENCE OR COERCION BY OTHER THAN THE JUDGE  
and in respect to any prior incompletely sentenced(s) as follows (CC or CS):

It is further ordered that the defendant be remanded to the Sheriff of the County of San Diego; and pursuant to the aforesaid judgment, this is to command you, the Sheriff to deliver the defendant into the custody of the Director of Corrections of the State of California at the California Institution for Men at Chino, California at your earliest convenience.

The Court did instruct the defendant of his right to appeal in accordance with Rule 250, California Rules of Court.

The defendant's right to appeal was denied. The defendant was advised of his right to appeal by the Warden.

RECORDED HEARING APPELLED TO THE STATE BAR OF CALIFORNIA FOR REVIEW

I certify the foregoing to be a true and correct abstract of the Judgment made and entered on the minutes of the Superior Court herein.

Dated:

MAY 5, 1989

ROBERT D. ZUMWALT, COUNTY CLERK

By:

*Marie J. Ervin*

Deputy

MARIE J. ERVIN

*Terry B. O'Rourke*

JUDGE OF THE SUPERIOR COURT

*TERRY B. O'Rourke*

JUDGE OF THE SUPERIOR COURT

THE BEFORE OF THE JUDGE AND CLERK

FOR COMMENCEMENT TO MAIL WRIT

RECEIVED AT PROSECUTOR'S OFFICE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10-12-2012 BY SPK

REPORT—INDETERMINATE SENTENCE  
OTHER SENTENCE CHOICE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

COURT I.D.

BRANCH

317

PEOPLE OF THE STATE OF CALIFORNIA

VERSUS

 PRESENT  
 NOT PRESENT

CASE NUMBER(S)  
CR 95364 - A  
- B  
- C  
- D  
- E

DEFENDANT: PABLO JULIAN AGARIO

AKA:

REPORT TO JUDICIAL COUNCIL OF INDETERMINATE SENTENCE  
TO STATE PRISON  SENTENCE CHOICE OTHER THAN STATE PRISONDATE OF HEARING  
(MO) (DAY) (YR)

DEPT. NO.

JUDGE

REPORTER

026

TERRY B. O'ROURKE

CLERK

MARIE J. ERVIN

PROBATION NO. OR PROBATION OFFICER

JANICE SHULAK

CRAIG BOOTEN

EDMUNDO ESPINOZA

TERRY GAEGHEN

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONIES:

A.  ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT

COUNT	CODE	SECTION NUMBER	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION	CONVICTION BY	ENHANCEMENTS (CHARGED AND FOUND)														
							MO	DAY	YEAR	JURY TRIAL	COURT TRIAL	PLEA	654 STAY	1202(a)	1202(b)	1202.3(a)	1202.3(b)	1202.5	1202.6(a)	1202.6(b)	1202.7
1	PC	187(a)	MURDER, 2nd Deg.	88 04	07 89	X								X							

2. A. Number of prior prison terms charged and found

SECTION	NUMBER
667.5(a)	0
667.5(b)	0
667.6(b)	0

B. Number of prior felony convictions

SECTION	NUMBER
667.6(a)	0

3.  Defendant was sentenced to death on counts \_\_\_\_\_4.  Defendant was sentenced to State Prison:

- A.  For life, or a term such as 15 or 25 years to life, with possibility of parole, on counts 1 plus 2 years for enhancement = total term
- B.  For life without the possibility of parole on counts \_\_\_\_\_ enhancement = total term
- C.  For other term prescribed by law on counts \_\_\_\_\_ of 17 years to life.

5.  Counts \_\_\_\_\_ were deemed misdemeanors.

- A.  Defendant sentenced to \_\_\_\_\_ days in county jail for all counts.  
NUMBER

- B.  Defendant fined in sum of \$ \_\_\_\_\_.

6.  For counts \_\_\_\_\_, the defendant was placed on probation.

- A. (1)  Sentence pronounced and execution of sentence was suspended; or  
(2)  Imposition of sentence was suspended.

- B. Conditions of probation included  Jail Time \_\_\_\_\_ days  Fine

7. Other dispositions

- A.  Defendant was committed to California Youth Authority.
- B.  Proceedings suspended, and defendant was committed to California Rehabilitation Center.
- C.  Proceedings suspended, and defendant was committed as a Mentally Disordered Sex Offender.
- D.  Proceedings suspended, and defendant was committed as mentally incompetent.
- E.  Other (Specify) \_\_\_\_\_

NOTE: PURSUANT TO ARTICLE VI, SECTION 6 OF THE CALIFORNIA CONSTITUTION AND SECTION 68505 OF THE GOVERNMENT CODE, THE CHIEF JUSTICE REQUIRES THAT EACH SUPERIOR COURT SHALL COMPLETE THIS FORM FOR EACH INDETERMINATE SENTENCE TO STATE PRISON OR SENTENCE CHOICE OTHER THAN STATE PRISON. THE REPORTS IMPLEMENT SECTION 1170.4 OF THE PENAL CODE AND SHALL BE MAILED TO: ADMINISTRATIVE OFFICE OF THE COURTS, 350 McALLISTER, 3200 STATE BUILDING, SAN FRANCISCO, CALIFORNIA 94102

DATE

MAY 9, 1989

SIGNATURE OF CLERK

*Marie J. Ervin*

MARIE J. ERVIN

Const., Art. VI, § 6  
Pen C. 1170.4, 1170.6

SDS

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CR 1895354 DA B3478207DATE 05-06-09 09:00 AT 86131857 M

PROB HEAR-SENTENCING

MAY - 5 1989  
BY MARIE ERVIN DEPUTY

PRESENT: HON. TERRY B. O'ROURKE

JUDGE PRESIDING DEPARTMENT 026CLERK Marie Korn REPORTER Janice ShulakTHE PEOPLE OF THE STATE OF CALIFORNIA  
VSDEPUTY DISTRICT ATTORNEY Craig Rooten

AGRID

PABLO

ATTORNEY FOR DEFENDANT (APPT'D/RETAINED) F. Espinoza ✓VIOLATION OF SPC187Terry Gaughen P.O.DEFENDANT  PRESENT  ARRAIGNED FOR JUDGMENT  WAIVES ARRAIGNMENT DEFENDANT ADVISED OF RIGHTS AND (ADmits/DENIES) A VIOLATION OF PROBATION.  WAIVES HEARINGPROBATION IS:  DENIED  REVOKED  REINSTATED  CONTINUED  MODIFIED  GRANTED \_\_\_\_ YEARS (FORMAL/SUMMARY) IMPOSITION OF SENTENCE IS SUSPENDED.  DEFENDANT SENTENCED TO STATE PRISON, EXECUTION STAYED (SEE BELOW FOR TERM).

CONDITIONS OF PROBATION INCLUDE, BUT ARE NOT LIMITED TO:

- P  COMMITMENT TO SHERIFF FOR \_\_\_\_ DAYS.  ADULT INSTITUTIONS RECOMMENDED.  PAROLE NOT TO BE GRANTED.  
 R  FINE OF \$\_\_\_\_\_ INCLUDING PENALTY ASSESSMENT AT \$\_\_\_\_\_ PER MONTH, COMMENCING \_\_\_\_\_ THROUGH REVENUE AND RECOVERY.  
 O  RESTITUTION OF \$\_\_\_\_\_ TO VICTIM/RESTITUTION FUND AT \$\_\_\_\_\_ PER MONTH, COMMENCING \_\_\_\_\_ THROUGH REVENUE AND RECOVERY.  
 B  RESTITUTION/FINE OF \$\_\_\_\_\_ PER GC 13967, STAYED PER PC 1202.4(b).  
 A  PARTICIPATION IN COMMUNITY SERVICES PROGRAM IN LIEU OF RESTITUTION.  
 T  FOURTH AMENDMENT WAIVER OF PERSON/AUTO/RESIDENCE/PERSONAL EFFECTS.  
 I  REGISTRATION PER PC 290/H&S 11590.

CREDIT FOR TIME SERVED

C  DEFENDANT IS COMMITTED TO DEPARTMENT OF CORRECTIONS FOR LOWER/MIDDLE/UPPER TERM OF 15 YEARS.  
 O  SEE BELOW FOR ADDITIONAL COUNTS TO LIFE

49 DAYS LOCAL

A  DEFENDANT IS COMMITTED TO CALIFORNIA YOUTH AUTHORITY.  PER W&I 707.2  PER W&I 1737  
 T  SEE BELOW FOR FINDINGS

1 DAYS STATE INST.

E  DEFENDANT IS ADVISED OF APPEAL RIGHTS  DEFENDANT IS ADVISED REGARDING PAROLE

24 DAYS PC 4019

13 TOTAL DAYS CREDIT

CUSTODIALS DEFENDANT REMAINS AT LIBERTY:

- ON BOND POSTED \$\_\_\_\_\_  
 ON OWN RECOGNIZANCE  
 ON PROBATION

DEFENDANT REMANDED TO CUSTODY:

- WITHOUT BAIL  
 WITH BAIL SET AT \$\_\_\_\_\_

 DEFENDANT ORDERED RELEASED FROM CUSTODY

Count One

plus 2 years for  
use of firearm  
under PC 1202a.1

TOTAL TERM: 17 YEARS

FURTHERS DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT

CONTINUED TO/SET FOR \_\_\_\_\_ AT \_\_\_\_\_ M IN DEPT. \_\_\_\_\_ ON MOTION OF

COURT/DDA/DEFENDANT/PROBATION OFFICER. REASON:

 DEFENDANT REFERRED FOR DIAGNOSTIC EVALUATION PER PC 1203.03. FURTHER HEARING SET FOR \_\_\_\_\_ AT \_\_\_\_\_ M IN DEPT.BOND ISSUED  BENCH WARRANT TO ISSUE, BAIL SET AT \$\_\_\_\_\_. SERVICE WITHHELD TO \_\_\_\_\_

BOND NO. \_\_\_\_\_ IS RECALLED.

BOND FORFEITED. BOND AMOUNT \_\_\_\_\_ BOND COMPANY \_\_\_\_\_ AGENT \_\_\_\_\_

BOND IS EXONERATED.

M H  PROCEEDINGS SUSPENDED PER:  PC 1368, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.) W&I 3051 ADDICTION OR DANGER OF ADDICTION. (SEE BELOW FOR DATE OF SERVICE OF PETITION AND ORDER.)OTHER:  REFERRED TO DEPT. OF REVENUE AND RECOVERY  REPORT TO REGISTRAR OF VOTERS  DMV ABSTRACT

Defendant's Motion for New Trial is denied by the Court.  
 Defendant's Motion to Reduce Offense is denied by the Court.  
 Defendant's Motion for Bail pending Appeal is denied by the Court. Reporter ordered to prepare transcript of proceedings. Deft advised re computation of credits for time served Terry B. O'Rourke  
 DATED: MAY 5 1989

PRONOUNCEMENT OF JUDGMENT - ORDER

JUDGE OF THE SUPERIOR COURT  
TERRY B. O'ROURKE